

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

CHRISTOPHER ROBINSON)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.:
)	
SPRING OAKS CAPITAL,)	
LLC, et. al.)	2:23-cv-01381-AMM
)	
Defendant.)	

PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT

COMES NOW, the Plaintiff, CHRISTOPHER ROBINSON, and moves this Honorable Court pursuant to Fed. R. Civ. P. 56 to enter Partial Summary Judgment in favor of Plaintiff against Defendant, SPRING OAKS CAPITAL, LLC, (herein “Spring Oaks” or “Defendant”), a debt collector, for violating § 1692e and § 1692e(8) of the Fair Debt Collection Practices Act, 15 U.S.C., (the “FDCPA”) and as grounds therefore says as follows:

1. Spring Oaks is a debt collector and was collecting or attempting to collect a debt from the Plaintiff, Christopher Robinson (herein “Robinson”).

2. As a debt collector, Spring Oaks' collection activities was governed by the FDCPA.
3. When collecting or attempting to collect the alleged debt from Robinson, Spring Oaks made false, deceptive, and misleading representations to a third party, namely the credit reporting agency TransUnion, failing to report that the alleged debt was disputed by Robinson as required by the FDCPA.
4. This conduct by Spring Oaks violated § 1692e and § 1692e(8) and other sections of the FDCPA.
5. Robinson respectfully requests entry of this limited finding as to Spring Oaks' violations of § 1692e and § 1692e(8) of the FDCPA as there is no genuine dispute as to any material fact regarding these claims and Plaintiff is entitled to judgment as a matter of law on these claims.
6. In support of this Motion, the Plaintiff relies on the facts, testimony, evidence and legal arguments submitted to this honorable court in his Memorandum of Law and evidentiary submissions filed herewith.
7. Thus, Robinson respectfully requests that this honorable Court grant his Plaintiff's Motion for Partial Summary Judgment and respectfully requests to proceed to a jury trial on damages and on Robinson's remaining FDCPA claims against Spring Oaks for the same conduct the basis of this Motion.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff respectfully requests that this honorable Court grant Plaintiff's Motion for Partial Summary Judgment finding that the Defendant, Spring Oaks, violated § 1692e and § 1692e(8), and to proceed to jury trial on damages and on the Plaintiff's remaining claims against the Defendant.

Respectfully submitted,

/s/ M. Stan Herring

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CERTIFICATE OF SERVICE

I hereby certify that on **October 11, 2024**, a copy of the foregoing has been served on the following counsel for by using the CM/ECF system, U.S. Mail, postage prepaid and properly addressed and/or email to the email addresses below:

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